

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

GEORGE LESLEY WEAVER, JR.,

Defendant.

4:21CR3139

ORDER

Defendant has moved to dismiss Counts I and IV of the indictment, (Filing No. 150). He further moves to reconsider the court's prior order, (Filing No. 140), asking for transfer to Leavenworth so he can review discovery on a flash drive rather than having standby counsel provide access to the discovery. (Filing No. 151).

As to the motion to dismiss, Defendant pled guilty to Count I of the superseding indictment, (Filing No. 123), and his motion to withdraw that plea was denied. (Filing No. 142). There is no Count IV in either the indictment, (Filing No. 1), or the superseding indictment, (Filing No. 71). Moreover, under the terms of the plea agreement, the government intends to dismiss Counts II and III of the superseding indictment and all counts in the indictment at the time of sentencing. (Filing No. 118).

As to Defendant's motion for reconsider the Filing No. 140 order, this court may suggest, but it cannot order the Marshal to house a detainee at a specific location. And as stated in Filing No. 140, the court has appointed standby counsel who is ordered to facilitate Defendant's access to discovery relevant to sentencing.

Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to consider the Filing No. 140 order, (Filing No. 151), is denied.
- 2) Defendant's motion to dismiss, (Filing No. 150), is denied as moot.
- 3) The clerk shall mail a copy of this order to the defendant at his current detention facility.

Dated this 19th day of July, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge